

REMARKS

These remarks are directed to the office action mailed December 31, 2008, setting a three month shortened statutory period for response set to expire on March 31, 2009. The office action issued by the Examiner and the citations referred to in the office action have been carefully considered.

Prompt reconsideration is requested in view of the above claim amendments and the following remarks. As indicated, amendments introduce no new matter. Claims 1-4 and 6-13 are currently pending.

Claim Rejections under 35 USC § 103

Claims 1-4, 6-13 have been rejected under 35 USC §103(a) as being unpatentable over Vestergaard (U.S. Pub. No. 2002/0068574) in view of Jiang (U.S. Pub. No. 2002/0057678), and further in view of Rautila (U.S. Patent No. 6,631,183).

Rautila discloses a method for playing different greeting messages depending on different operating modes. Prior to selecting the greeting message of the voice mail system, the voice mail system obtains information as to which operating mode the terminal is set (col. 1, lines 48-50 and col. 2, lines 4-8). When a terminal changes its operating mode, the terminal automatically communicates the new operating mode to the voice mail system using a possible automatic message such as a SMS, USSD, or DTMF message (col. 2, lines 28-33). **Rautila does not teach a method for selecting one of these types of messages from the group**, but rather only teaches that SMS, USSD, and DTMF messages are possible types of automatic messages for communicating a new operating mode to the voice mail system (col. 2, line 22-33).

In contrast, **Applicant teaches a method of selecting a information transfer mechanism** (DTMF, DDI, USSD, SMS) based on retrieved data on the information transfer mechanisms supported by a mobile communication device, first network, and second network,

and selecting the information transfer mechanism that is supported by the mobile communication device and all the networks.

Claim 1 has also been amended to clarify that the “selected information transfer mechanism comprises...” at least one of the DTMF, DDI, USSD, and SMS mechanisms.

Furthermore, Rautila does not teach or suggest multiple networks using different information transfer mechanisms, since the system as disclosed in Rautila only has a single line of communication between the voice mail system and the terminal. Merely mentioning the term SMS, USSD, DTMF does not teach or suggest the skilled person to apply such SMS, USSD, DTMF messages in the manner as described in Applicant’s claim 1.

Verstergaard discloses a mobile telecommunications system that permits a user to select different operational configurations for use with different networks. However, as stated by the Examiner on page 3 of the April 21, 2008 office action, **Vestergaard does not teach retrieving data on information transfer mechanisms** supported by the mobile communication device, first network, and second network, **or selecting an information transfer mechanism** supported by the mobile communication device, first network, and second network.

Jiang discloses a method and system for wireless voice channel/data channel integration. During a communication session, a wireless data session can be triggered from a voice session and a voice session can be triggered from a wireless data session. Applicant submits that having **a data channel that controls, guides, and triggers the voice channel and vice versa** (paragraph [0075] of Jiang) **in a network is distinctly different from retrieving data regarding information transfer mechanisms** supported by a mobile communication device, first network, and second network, **and then subsequently selecting an information transfer mechanism** supported by the mobile communication device, first network, and second network.

None of the cited references teach or suggest the retrieval of data **regarding supported information transfer mechanisms**; the retrieval of the data from multiple networks and a

mobile communication device; and the **selection of an information transfer mechanism that is supported by all the networks and the mobile communication device.**

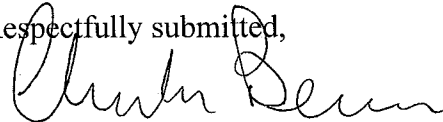
Applicant submits that none of the cited references teach or suggest all the elements and limitations of independent claim 1. Therefore, independent claim 1 and the claims dependent therefrom are not obvious and are therefore patentable under 35 USC §103. The Examiner is respectfully requested to reconsider and now withdraw the Examiner's rejection.

Conclusion

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 072998-012300 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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